

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC, a
Washington limited liability company;
JAMES S. GORDON, JR., a married
individual,

Plaintiffs,

v.

STAMPS.COM, INC. a Delaware and
California corporation; and JOHN DOES,
I-X,

Defendants.

Case No. CV07-0386 MJP

**JOINT STATUS REPORT AND
DISCOVERY PLAN**

Counsel for defendant STAMPS.COM, INC. ("Stamps.com"), and counsel for plaintiffs Omni Innovations, LLC ("Omni"), and James S. Gordon, Jr. (collectively, "Plaintiffs"), conducted a meeting of counsel pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and Local Rule 16. The parties submit this Joint Status Report and respectfully request that the Court adopt the deadlines and stipulations proposed herein as part of its scheduling order.

1. Proposed Discovery Plan.

A. A telephone conference between counsel for Plaintiff and Stamps.com took

1 place on July 6th, 2007. The parties will exchange initial disclosures not later than July
2 13, 2007.

3 B. The expense of discovery can be minimized by agreement of all parties to
4 cooperate to proceed informally whenever possible. The parties agree that each
5 responding party will Bates stamp all paper and PDF documents produced. The parties
6 further agree they will accept e-mail service of all documents, including service of
7 propounding discovery and discovery responses, and any other documents required to be
8 served (*e.g.*, service of papers filed under seal). E-mail service on Plaintiffs will be valid
9 upon delivery to both <bob@ijusticelaw.com> and <doug@mckinleylaw.com>. E-mail
10 service on Stamps.com will be valid upon delivery to all of <dn@newmanlaw.com>, and
11 <diana@newmanlaw.com>.

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13 2. Discovery Cutoff; Motions Cutoff.

14 The parties desire that discovery be completed by and that all discovery motions be
15 filed on or before February 15, 2008. The Court generally sets a discovery motion cutoff
16 of thirty days before the discovery cutoff. The parties respectfully request they be
17 permitted to file discovery motions up to and including the discovery cutoff. In the event
18 the Court grants a discovery motion after the discovery cutoff, then the parties would
19 conduct further discovery limited to the relief described in such an order.

20 The parties desire that the dispositive motion filing deadline be April 30, 2008.

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22 3. Trial Date.

23 The parties believe this matter will be ready for trial by September 30, 2008. The
24 parties request that trial be scheduled for a date which is at least five months after the
25 filing deadline for dispositive motions so that the Court may rule before the parties begin
26 preparing for trial on claims that may be disposed of.

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4. Jury or Bench Trial.

Neither party has made a jury demand, but all parties reserve the right to do so on or before the deadline provided by the Federal Rules of Civil Procedure.

5. Length of Trial.

The parties agree that the case can be tried in five (5) days.

6. Trial Attorneys.

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DATED this 9th day of July, 2007.

Respectfully Submitted,

**NEWMAN & NEWMAN,
ATTORNEYS AT LAW, LLP**

i.JUSTICE LAW, PC

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/s/ Robert Siegel with authorization
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